

**A SUBSTITUTE RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

10-R-0749

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND FIVE THOUSAND NINE HUNDRED THREE DOLLARS AND NO CENTS (\$5,903.00) TO DECCA HOSPITALITY FURNISHINGS LOCATED AT 3525 PIEDMONT RD, SUITE 205, ATLANTA GEORGIA 30305 FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES TO THE CITY OF ATLANTA

WHEREAS, the City of Atlanta is authorized to collect business license fees on business doing business within the jurisdiction of the City of Atlanta; and

WHEREAS, DECCA Hospitality Furnishings is located at 3525 Piedmont Road, Suite 205, Atlanta Georgia 30305, Marietta Street, NW, Atlanta, GA 30303, and over-reported its gross receipts for the calendar year of 2007 in the amount of five million nine hundred eighty seven thousand eight hundred forty eight dollars and no cents. (\$5,987,848.00) resulting in a refund amount due of five thousand nine hundred three dollars and no cents (\$5,903.00); and

WHEREAS, DECCA Hospitality Furnishings has requested a refund for overpayment of business license fees; and

WHEREAS, the Office of Revenue has received proper and adequate documentation to verify the occurrence of overpayment by DECCA Hospitality Furnishings; and

WHEREAS, the Office of Revenue has determined that DECCA Hospitality Furnishings is entitled to a refund in the amount of five thousand nine hundred three dollars and no cents (\$5,903.00) for overpayment of business license fees;

WHEREAS, all refunds in excess of five thousand dollars (\$5,000.00) require adoption and approval by the City of Atlanta City Council and the Mayor before any funds can be disbursed;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA AS FOLLOWS:

SECTION 1: The Chief Financial Officer is hereby directed to issue a refund to DECCA Hospitality Furnishings in the amount of five thousand nine hundred three dollars and no cents (\$5,903.00), which represent the amount of overpayment.

SECTION 2: All funds shall be charged and paid from Fund Department Organization Account Number 1001 (General Fund) 200301 (Dept NDP Unallocated – Citywide Employee Expenses) 5730012 (Account Refunds) 1540000 (Function Activity Human Resources) in the amount of five thousand nine hundred three dollars and no cents (\$5,903.00).

SECTION 3: That all resolutions and parts of resolutions in conflict herewith and the same are hereby repealed.

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Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance Executive Committee

Caption: A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND FIVE THOUSAND NINE HUNDRED THREE DOLLARS AND NO CENTS (\$5,903.00) TO DECCA HOSPITAL FURNISHINGS LOCATED AT 3525 PIEDMONT RD, SUITE 205, ATLANTA GEORGIA 30305 FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES TO THE CITY OF ATLANTA

Council Meeting Date: May 3, 2010

Requesting Dept.: Department of Finance

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to refund overpayment of Business License Fees .

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

DECCA Hospitality Furnishings located at 3525 Piedmont RD - Suite # 205, Atlanta, Georgia 30305 over reported gross receipts for the 2007 tax year to the City of Atlanta's Office of Revenue in the amount of \$ 5,987,848.00 for business tax calculation purposes. The firm has filed an amended return and is now requesting a refund in the amount of \$5,903.00 .

3. If Applicable/Known:

(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):

(b) Source Selection:

(c) Bids/Proposals Due:

- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center:

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact: The legislation will result in a reduction in the amount of \$ 5,903.87 in the 1001 (General fund), 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources).

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: N/A

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Jerome Bodiford, Finance Department x6431, submitted by LaShawn Gardiner, x6449

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: Candace Byrd

Dept.'s Legislative Liaison: LaShawn Gardiner

Contact Number: (404) 330-6449

Originating Department: Department of Finance

Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline: April 13, 2010

Anticipated Committee Meeting Date(s): April 27-28, 2010

Anticipated Full Council Date: May 3, 2010

Legislative Counsel's Signature: Jack Tilson

Commissioner Signature: 

Chief Procurement Officer Signature: _____

CAPTION

A Resolution authorizing the Chief Financial Officer to refund five thousand nine hundred three dollars and no cents (\$5,903.00) to DECCA Hospital Furnishings located at 3525 Piedmont Rd., Suite 205, Atlanta, Georgia 30305 for an overpayment of business license fees to the City of Atlanta; and for other purposes.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by CPO: _____

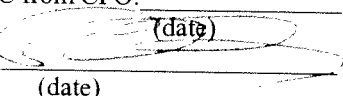
(date)

Received by LC from CPO: _____

(date)

Received by Mayor's Office: 

(date)

Reviewed by: 

(date)

Submitted to Council: _____

(date)